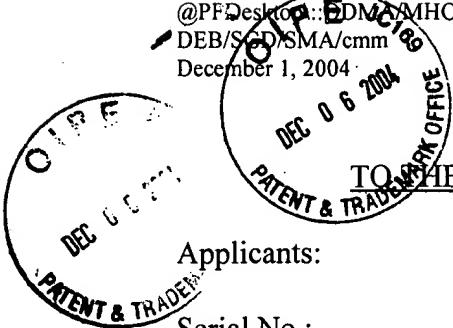


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**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants: Barry M. Forman, Richard L. Beard and Roshantha A. Chandraratna

Corres. and Mail

Serial No.: 09/590,447 Group: 1617

BOX AF

Filed: June 9, 2000 Examiner: Hui, San Ming R.

Confirmation No.: 1446

For: METHODS FOR MODULATING FXR RECEPTOR ACTIVITY

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

12/1/04

Date

Christina McGweeney

Signature

Christina McGweeney

Typed or printed name of person signing certificate

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated June 1, 2004 of the Examiner finally rejecting claims 1-13. The item(s) checked below are appropriate:

00 00
980.00
340.00

1. Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated June 1, 2004 for three months from September 1, 2004 to December 1, 2004.
2. A [] month extension of time to respond to the Office Action Made Final dated [] was filed on [] with payment of a \$[] fee.
3. Applicant hereby petitions for an additional [] month extension of time to respond to the Office Action Made Final.
3. A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

4. Fees are submitted for the following:

<input checked="" type="checkbox"/> Extension of Time for three months	\$ <u>980.00</u>
<input type="checkbox"/> Additional Extension of Time:	
Fee for Extension ([] mo.)	\$ _____
Less fee paid ([] mo.)	- \$ _____
Balance of fee due	\$ <u>0</u>
<input checked="" type="checkbox"/> Notice of Appeal	\$ <u>340.00</u>
<input type="checkbox"/> Other _____	\$ _____
	TOTAL \$ <u>1320</u>

5. The method of payment for the total fees is as follows:

A check in the amount of \$1320 is enclosed.

Please charge Deposit Account No. 08-0380 in the amount of \$[].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

By Susan M. Abelleira
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Concord, MA 01742-9133

Date: December 01, 2004